

STATE OF WEST VIRGINIA
EXECUTIVE DEPARTMENT
AT CHARLESTON
EXECUTIVE ORDER NO. 5-11
By the Governor

WHEREAS, by 2020, according to the World Health Organization (WHO), behavioral health disorders will surpass all physical diseases as a major cause of disability worldwide; and

WHEREAS, every segment of our society is affected by substance abuse and the consequences of substance abuse hamper our ability to create a healthy, educated and globally-competitive workforce that contributes to the economic vitality and community development of our State; and

WHEREAS, substance abuse among our citizens demands our care and attention to educate and treat the more than 152,000 West Virginians who are in need of substance abuse treatment services at any given time; and

WHEREAS, West Virginia is blessed with a talented workforce, yet substance abuse threatens our national reputation for having one of the lowest turnover and highest productivity rates in the nation; moreover, the impact of worker absenteeism and the costs associated with disqualifications of potential employees failing drug screenings hamper State businesses with increased recruitment costs and stifles economic output in West Virginia; and

WHEREAS, evidence of how substance abuse negatively impacts our State is substantiated by deterioration of community and family relations; an increase in crime by both youth and adults; overpopulation of correctional facilities and psychiatric facilities; increased incidents of domestic violence, child neglect and child maltreatment; illicit

drug use by expectant mothers in alarming proportions; significantly increasing health costs; decreased educational opportunities; and higher student drop-out rates; and

WHEREAS, behavioral health research has demonstrated that substance abuse prevention works, drug treatment is effective and people do recover from mental and substance use disorders; and

WHEREAS, involvement at the local level is critical to formulating policies that address substance abuse regionally and throughout West Virginia and, as a result, the efforts to defeat the crisis of substance abuse in West Virginia demand that the voice and input of local communities be heard and a multi-faceted and collaborative approach be used in order to address the unique problems that each region of this State faces; and

WHEREAS, the West Virginia Partnership to Promote Community Well-Being (the "Partnership") was created by Executive Order No. 8-04 to improve and establish priorities for the substance abuse prevention system and, in so doing, created a vision supporting the development of a statewide prevention infrastructure; and

WHEREAS, data-driven planning and comprehensive evidence-based strategies must govern and guide efforts that will positively impact the substance abuse issues facing West Virginians; and

WHEREAS, a Statewide Substance Abuse Strategic Action Plan was developed to meet the federal block grant requirement for federal substance abuse funding by the Substance Abuse and Mental Health Service Administration, and will be utilized as a framework for discussions on how to combat substance abuse on the local and State level.

NOW, THEREFORE, I, EARL RAY TOMBLIN, pursuant to the authority vested in the Governor of West Virginia, do hereby **ORDER** that:

1. Executive Order No. 8-04 establishing the West Virginia Partnership to Promote Community Well-Being is hereby rescinded and the Partnership is replaced by the Governor's Advisory Council on Substance Abuse (the "Advisory Council").

2. The Advisory Council shall consist of the following persons set forth in this Executive Order who shall serve at the will and pleasure of the Governor. The following persons may not designate individuals to serve in their place without the express consent of the Governor.

3. Members of the Advisory Council shall be persons who have education, experience or special interests regarding substance abuse prevention, early intervention, treatment and recovery, as follows:

(a) The Secretary of the West Virginia Department of Health and Human Resources;

(b) The Secretary of the West Virginia Department of Military Affairs and Public Safety;

(c) The Secretary of the West Virginia Department of Veterans Assistance;

(d) The Superintendent of the West Virginia State Police;

(e) The President of the West Virginia Chiefs of Police Association;

(f) The President of the West Virginia Sheriffs' Association;

(g) The Administrative Director for the West Virginia Supreme Court of Appeals;

(h) The State Superintendent of Schools;

(i) The Executive Director of WorkForce West Virginia;

(j) The Commissioner of the Bureau for Behavioral Health and Health Facilities, West Virginia Department of Health and Human Resources;

(k) Nineteen (19) members who shall serve at the will and pleasure of the Governor and shall be appointed by the Governor, as follows:

(1) One (1) representative experienced in behavioral medicine and psychiatry;

(2) One (1) representative experienced in substance abuse prevention;

(3) One (1) representative from the faith-based community;

(4) Two (2) representatives from the West Virginia Behavioral Health Providers Association;

(5) One (1) representative from the West Virginia Association of Alcoholism and Drug Counselors, Inc.;

(6) One (1) representative from the West Virginia Coalition Against Domestic Violence;

(7) One (1) representative from the Coalition to End Homelessness, Inc.;

(8) One (1) representative with experience as a director of an inpatient residential long-term treatment facility;

(9) One (1) representative with experience as a medical director for a neonatal intensive care unit;

(10) One (1) representative who is a licensed physician with a specialty in child and adolescent psychiatry;

(11) One (1) representative with experience in public health;

(12) One (1) representative with experience as a clinical practitioner in drug diversion;

(13) One (1) representative from the West Virginia Municipal League;

(14) One (1) representative of the West Virginia Prosecuting Attorneys Association;

(15) One (1) citizen member;

(16) One (1) representative from the West Virginia Board of Medicine;

(17) One (1) representative from the West Virginia Board of Pharmacy;

(18) One (1) representative from the West Virginia Board of Dental Examiners; and

(l) Such additional members as the Governor, at his discretion, may from time to time appoint.

4. A chairperson of the Advisory Council shall be designated by the Governor.

5. The Advisory Council shall hold its first meeting within forty-five (45) days of the date of this Order.

6. The Advisory Council may create sub-committees and shall establish its own by-laws, including rules of procedure for all meetings of the Advisory Council and for any sub-committees created by the Advisory Council, to ensure that all meetings remain accessible to the public and adhere to the State's Open Governmental Proceedings Act.

7. The Advisory Council shall have the following duties:

- (a) Provide guidance regarding the implementation of the approved Statewide Substance Abuse Strategic Action Plan for the improvement of the statewide substance abuse continuum of care;
- (b) Identify planning opportunities with other interrelated systems to increase both public and private support concerning substance abuse initiatives;
- (c) Recommend a list of priorities for the improvement of the substance abuse continuum of care;
- (d) Receive input from local communities throughout West Virginia;
- (e) Provide recommendations to the Governor regarding improvements to the following:
 - (1) Enhancing substance abuse education, including proper prescribing methods in programs of study and continuing education for health care providers, assessment, intervention, prevention and treatment;
 - (2) Enhancing opportunities to collect and utilize data and facilitating data sharing between entities, including Prescriptions Monitoring Program data to ensure that

the public is made aware of the magnitude of the prescription drug problem, to assist physicians and pharmacists with identifying individuals who obtain prescriptions from multiple providers, and to alert State licensing boards and law enforcement where insufficient prescribing practices are occurring;

(3) Enhancing employment opportunities, training and retention as they relate to substance abuse;

(4) Enhancing communication between federal, State and local partners to align resources;

(5) Enhancing crime prevention and deterrence methods as they relate to substance abuse; and

(6) Any other matters related to substance abuse the Advisory Council may discover.

8. The Advisory Council shall perform such other acts as are necessary and proper to carry out the aforementioned purposes.

9. The Advisory Council shall receive staff support and consultation from the West Virginia Department of Health and Human Resources and shall serve as the substance abuse planning body supporting federal block grant and State substance abuse initiatives.

10. The Advisory Council shall work in coordination with the West Virginia Department of Health and Human Resources to prepare a report of its findings and recommendations to the Governor prior to the first day of each calendar year.

11. In order to assist the Advisory Council, there are also hereby created six (6) Regional Substance Abuse Task Forces whose purpose is to provide the Advisory Council with recommendations for additional support for substance abuse services and programs, realignment or additional funding strategies, advocate for legislative action, and recommend other initiatives to support the overarching goals set forth in the Statewide Substance Abuse Strategic Action Plan.

12. The Regional Substance Abuse Task Forces shall be established by the Department of Health and Human Resources, and may be reconfigured periodically, in a manner utilizing existing comprehensive behavioral health providers, geographic and socioeconomic boundaries and common interests among all service areas of the State.

13. The West Virginia Department of Health and Human Resources shall assist with the organization of each Regional Substance Abuse Task Force, arrange for and staff all Task Force meetings and ensure that all information and recommendations generated by each local Task Force is provided to the Advisory Council for consideration and inclusion in the Advisory Council's annual report.

14. Each Regional Substance Abuse Task Force may be comprised of representatives from local, county and state law enforcement; federal law enforcement; community corrections; courts and prosecutors; education; churches and faith-based organizations; the medical community; the recovery community; comprehensive behavioral health providers; local community prevention coalitions; state, county and local officials; and the public at-large.

15. The Regional Substance Abuse Task Forces shall hold their initial meetings within forty-five (45) days of the date of this Order.

16. The Regional Substance Abuse Task Forces shall prepare and submit their first reports to the Advisory Council summarizing regional needs and proposed implementation strategies within ninety (90) days of the date of this Order.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.



DONE at the Capitol, in the City of Charleston, State of West Virginia, this the sixth day of September, in the year of our Lord, Two Thousand Eleven, and in the One Hundred Forty-Ninth year of the State.

Carl Ray Tomblin
GOVERNOR

By the Governor

Walter E. Lammert
SECRETARY OF STATE